



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

APR 29 2002

Mr. Jack B. Wert
BOC Gases
575 Mountain Avenue
Murray Hill, NJ 07974

Ref. No.: 02-0083

Dear Mr. Wert:

This is in response to your letter dated March 12, 2002 requesting clarification on § 172.400a(a)(1) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171 -180) regarding the use of a cylinder identification collar in lieu of a cylinder label. For our review, you provided a sample of your company's cylinder identification collar affixed to the top part of a cylinder.

As provided by §172.400a (a)(1), cylinders containing flammable (Division 2.1) and nonflammable (Division 2.2) compressed gases that are carried by private or contract motor carrier and which are not overpacked are authorized to be marked in accordance with CGA Pamphlet C-7, appendix A without further DOT labeling.

As set forth in CGA Pamphlet C-7, appendix A, A-7, shoulder markings are permissible as long as the basic markings do not cover any permanent markings. The cylinder identification collar you provided covers the permanent DOT specification markings. Therefore, the cylinder identification collar does not meet the conditions set forth in CGA Pamphlet C-7 appendix A. However, except for your identification collar covering the permanent markings on the DOT specification cylinder, the sample collar otherwise conforms to the provisions specified in § 172.400a(a)(1).

I trust this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



020083

172.400a



575 Mountain Avenue
Murray Hill, NJ 07974

Webb
§ 172.400a
Labeling
02-0083

March 12, 2002

Mr. Ed. Mazzullo
Director Office of Hazardous Materials Standards
Research and Special Programs Administration.
US Department of Transportation
400 Seventh Street-SW
Washington, DC 20590

**Subject: Clarification on the Use of Cylinder Identification Collars in Lieu of
Cylinder Labels**

Dear Mr. Mazzullo,

Some time ago, September 1999, BOC had decided that they wanted to use cylinder identification collars in lieu of the traditional cylinder labeling. This system would provide BOC with not only with all the DOT required labeling, but also the capability to track cylinders by bar code and transponders.

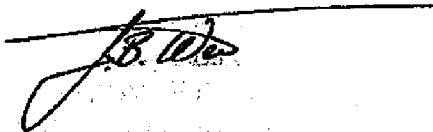
Pursuant to this endeavor I contacted the Department of Transportation to determine if there were any regulatory or technical reasons which would preclude the use of these collars. As you can see from the attached string of e-mail communications, the idea was thoroughly evaluated by the Department of Transportation and BOC was advised that there would be no problems with their use.

Subsequent to these communications, BOC has implemented the cylinder collar identification system and now have several thousand cylinders in the field identified with the collars. In retrospect, BOC now feels that it would be most advantageous to have a formal letter of clarification from the Department of Transportation on this subject. The reason being that if a BOC truck is stopped and inspected, there would be much less anxiety for all if the driver could produce documentation clarifying the Department of Transportation's position on the use of these collars.

To these ends I respectfully request a formal letter from your office clarifying that BOC Gases is authorized to use the subject collars in lieu of cylinder labels. For your reference I will ship you a collar affixed to the top part of a cylinder for your examination along with the string of e-mail correspondence between BOC and the Department of Transportation for your review.

If there are any further questions please call or e-mail me and I will address any concerns. I look forward to your favorable reply.

Respectfully,



Jack B. Wert

Manager, Compressed Materials and Related Technology

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Enclosure (1) E-mail correspondence between BOC and the Department of Transportation.